

United States District Court  
Southern District of New York

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CHRISTOPHER E. BROWN,

Plaintiff,

against

FRIEDMAN FAMILY REAL ESTATE CO., LLC,

Defendant.

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Index No.: 07 CV 3274

JUDGE ROBINSON

ANSWER

Respectfully answering the complaint:

1. Defendant denies knowledge or information sufficient to form a belief as to the allegations set forth in paragraphs 3, 4 or 5 of the complaint.
2. Defendant admits that it is a New York Limited Liability Company and denies each and every other allegation contained in paragraph 6 of the complaint.
3. Although it lacks knowledge as to the events referred to in paragraph 7 of the complaint, Defendant admits that venue is properly placed in the Southern District of New York.
4. Defendant reasserts its answers with regard to the paragraph 8 of the complaint.
5. Defendant denies the allegations contained in paragraph 9 of

the complaint but admits that portions of the Property contain public accommodations which are subject to the Americans with Disabilities Act.

6. Defendant denies knowledge or information sufficient to form a belief as to the allegations set forth in paragraphs 10, 11, 12 & 13 of the complaint.

7. Defendant denies knowledge or information sufficient to form a belief as to the allegations set forth in paragraphs 14, 15 and 16 of the complaint. Defendant believes the Property to be in substantial compliance with 42 U.S.C. §1218 et. seq. and 28 C.F.R. § 36.302 et seq.

8. Defendant denies knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 17 of the complaint.

9. Defendant denies the allegations contained in paragraph 18 of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

10. Defendant is not the owner, lessee or operator of the "Property" described in the complaint.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

11. Upon information and belief all barriers where the removal was readily achievable have been removed.

12. Upon information and belief, where barriers could not be readily removed, readily achievable alternative steps were taken.

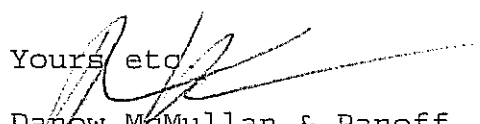
AS AND FOR A THIRD AFFIRMATIVE DEFENSE

13. In the event there was discrimination actionable under the Americans With Disabilities Act, defendant was neither a participant nor aware of the discrimination.

Wherefore, Defendant demands judgment dismissing the complaint together with costs and disbursements.

Dated: New York, New York  
July 10, 2007

Yours etc.

  
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